

REMARKS

Claims 1, 3-5, 7-11, 15, and 17-25 are all the claims presently pending in the Application. Claim 10 stands objected to for informalities and claims 1, 3-5, 7-11, 15, and 17-18 stand rejected on prior art grounds. Claims 19-25 have been added to claim additional features of the invention. Claims 2, 6, 12-14, and 16 have been canceled, thereby rendering the rejections to these claims moot.

It is noted that any claim amendments are made to merely clarify the language of each claim, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Claims 1, 2, 4-7, 12-14, and 18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Mansbery et al (U.S. Patent No. 6,121,593).

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Mansbery in view of Lowery (U.S. Pat. No. 6,446,111).

Claims 8-10 and 15-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mansbery in view of Cuomo (U.S. Pat. No. 5,861,883).

Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Mansbery in view of Cuomo and in further view of Gabai (U.S. Pat. No. 6,368,177).

These rejections are respectfully traversed in view of the following discussion.

I. THE CLAIMED INVENTION

Applicant's invention, as disclosed and defined in claim 1, is directed to a system for proxy browsing the Internet that includes a first computer linked to the Internet, a proxy browser Internet interface program hosted on said Internet linked computer, and an electronic appliance linked online to the Internet. The electronic appliance comprises a unique Internet Protocol (IP) address and can actively receive electronic data transmissions from the Internet. The proxy browser program transmits a command with the electronic appliance IP address through the Internet that directs an Internet server to transmit a remote digital file selected by the proxy browser to the electronic appliance IP address without the electronic appliance communicating with the proxy browser. The digital file executes on the electronic appliance without verification by the proxy browser program.

Conventional systems for transmitting a data file through the Internet to an endpoint, such as a networked electronic appliance or computer, use a computer on a remote network to control the transmission of a data file or command to the remote appliance or computer. This is accomplished by using TCP/IP to control the structure and flow of information transmitted between the sending computer and the receiving computer or device. Internet Protocol is responsible for recognizing the source and destination addresses in connection and with insuring receipt of data packets at the

proper location, as well as checking for the accuracy of data packets sent and received. Either or both ends of the transmission may be located on a local area network and use additional local network protocols to complete the data transmissions.

The present invention, however, provides Internet browsing by proxy, whereby a user on a computer executes the proxy browser and causes remote Internet-linked servers to interact with alternate remote client devices that are linked to the Internet. After a command containing the client device's IP address (URL) is sent to a server, interaction may occur between the remote server and client device without interaction or communication with the proxy browser and the remote client device.

II. THE PRIOR ART REJECTION

THE Mansbery REFERENCE

The Examiner alleges that claims 1, 2, 4-7, 12-14, and 18 are anticipated by Mansbery. Applicant submits, however, that there are elements of the claimed invention which are neither taught nor suggested by Mansbery.

The Examiner alleges column 9, lines 27-25; Fig. 9, and column 6, lines 42-52 of Mansbery disclose invention as claimed in claim 1. However, these passages merely describe requirements of a remote-control software that uses a local network and server 100 connected to an appliance 200 that allows a user with a Web browser 50 to send commands over the Internet (col. 9., lines 28-30) and remotely communicate with

the home server through the server's IP address, after which the home server directly controls an appliance in a home using specialized "CEBUS Subsystem" client software located on the local home network. (Mansbery, col. 3, lines 64-68; col. 6, lines 45-52; col. 5, lines 60-65). Mansbery fails to teach or suggest "said Proxy Browser transmits a command with said electronic appliance IP address through the Internet that directs an Internet server to transmit a remote digital file selected by said Proxy Browser program to said electronic appliance IP address without said electronic appliance communicating with said proxy browser," as recited in claim 1. The claimed invention is clearly different in that it does not provide users on the Internet a system or method to "control and monitor their appliances while away from home through . . . their favorite worldwide web browser" as described in Mansbery col. 3, lines 64-68. Instead, the claimed invention allows user to select a file to download to a remote appliance and command a remote Internet server to perform the transmission to the appliance's unique IP address.

In a non-limiting exemplary embodiment of the present invention, "The Web server 38 receives commands from the proxy browser 26 to send a file or Web page to a specific client on a network 42." (Specification, p. 12, lines 20-22) Further, the file transmission between the Web server and the client (e.g., electronic appliance) occurs "without said electronic appliance communicating with said proxy browser" which includes without a controller of the appliance being controlled by the proxy browser. In an exemplary embodiment, "The client PC 62 in the embodiment does not need to communicate directly with the Proxy Browser 26." (Specification, p. 15, lines 1-5)

Thus, the claimed invention uses a different technology for a different purpose than Mansbery. The proxy browser directs a remote Internet server to send a file to a specific IP or URL address of a client appliance, which is itself connected to the Internet, without further interaction by the proxy browser. (Specification, p. 17). This is in contrast, however, to Mansbery that requires a "CORBA system 115" and a "CEBUS Subsystem 120" (col. 6, lines 42-52) so that the electronic appliances may "be directly manipulated from any computer around the world" (col. 4, lines 25-32; Fig. 2) and provides for a user to program an appliance to prepare a food dish from a remote location 900. (col. 9, lines 27-29). Clearly, no remote control from the proxy browser of the client device is necessary, or even possible, with the present invention. Thus there is no teaching or suggestion of the present system where the proxy browser "directs an Internet server to transmit a remote digital file" that is selected by the Proxy Browser program to the "electronic appliance IP address without said electronic appliance communicating with said proxy browser," as recited in claim 1.

Further, the Examiner alleges column 6, lines 42-52 discloses "said Proxy Browser directs at least one digital file selected by said Proxy Browser to download to said second client computer or electronic appliance using said second client's Internet name or URL number." However, Mansbery discloses a far different addressing scheme in these passages for appliance objects. Every appliance 200 is identified by an "address" that is recognized only by a "CEBUS" Subsystem and is available only "to anyone accessing the CEBUS Subsystem 120." To send a command to an appliance,

a user connects through the Internet through a "CORBA appliance objects 100 to the Tonight's Menu Application Server Software 100." (Mansbery, col. 6, lines 37-40) The Appliance Server Software 100 then initializes the CORBA Subsystem 115 which broadcasts its address out on the network. The CEBUS Subsystem acts as the network for the appliances 200. (Mansbery, col. 6, lines 45-53)

There is no teaching or suggestion of "an electronic appliance linked online to the Internet, wherein said electronic appliance comprises a unique Internet Protocol (IP) address," as recited in claim 1. Mansbery's appliances 200 are linked online to the CEBUS Subsystem and anyone simply accessing the Internet cannot access the appliances 200 because the appliances are only accessible through the CEBUS Subsystem 120. (col. 6, line 52). Mansbery's network subsystem structure is in contrast to the present invention that requires each appliance to have its own unique Internet address so that files may be transmitted from an Internet server to the address, not to a subsystem controller: "Each computer or appliance linked to the Internet in FIG. 2 has its own unique Internet address, or Uniform Resource Locator (URL) number. The URL is used in the preferred embodiment to send and receive proxy files and data over the Internet." (Application, p. 12, lines 18-24) Thus, Mansbery's system is not comparable to the present invention because the CEBUS and CORBA systems do not provide "a unique Internet Protocol (IP) address" to client appliances and do not allow a third-party Internet server to download a file to an appliances "unique IP address . . . without said electronic appliance communicating with said proxy browser," as recited in

claim 1.

The above remarks are incorporated into Applicant's response for the Examiner's rejection to claim 18. Claim 12 has been cancelled.

For at least the reasons stated above, Applicant respectfully submits that Mansbery fails to teach or suggest every feature of claims 1, 4-7 and 18, and these claims are fully patentable over the cited reference. Based on the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejection.

THE LOWERY REFERENCE

The Examiner alleges that claim 3 is obvious over Mansbery in view of Lowery. Applicant submits, however, that there are elements of claim 3 which are neither taught nor suggested by the Examiner's urged combination of references.

The Examiner admits that Mansbery does not disclose the invention of claim 3, and that Lowery makes up for Mansbery's deficiencies. The Applicant submits, however, that Lowery would not have been combined with Mansbery, however even if combined, the combination does not teach or suggest "said Proxy Browser Internet interface program identifies said remote digital file and identifies an IP address of said electronic appliance, and said Internet server verifies said IP address and verifies a transmission of said remote digital file without interaction of said proxy browser program," as recited in claim 1.

For at least the reasons stated above, Applicant respectfully submits that

Mansbery fails to teach or suggest every feature of claim 3 and this claim is fully patentable over the cited references. Based on the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejection.

THE CUOMO REFERENCE

The Examiner alleges that claims 8-10 and 15-17 are obvious over Mansbery in view of Cuomo. Applicant submits, however, that there are elements of the claims which are neither taught nor suggested by the Examiner's urged combination of references.

The Examiner admits that Mansbery does not disclose the invention of claims 8-10 and 15-17, and that Cuomo makes up for Mansbery's deficiencies. The Applicant submits, however, that Cuomo would not have been combined with Mansbery. Coumo is a method for collaboration of different computers over the Internet using existing Web browsers. (col. 2, lines 25-30) In contrast, Mansbery does not teach or suggest collaboration over the Internet. Mansbery teaches remote control of home appliances through a series of networks and systems that define objects to control the appliances.

However even if combined, the combination does not teach or suggest "wherein said proxy browser program transmits a command to said Internet server, said command directing said Internet server to transmit a remote digital file to said IP address of said second computer," as recited in claim 15. Cuomo describes a collaborative network group that uses "addURL" and "removeURL" commands in client

software so that information about pages currently viewed by each user is received by every other user and that collaborative data is exchanged among users who are seeing one or more pages in common on their respective browsers. This is a different technology for a different purpose than the claimed invention. According to claim 15, the proxy browser transmits a command to an Internet server so that the server will then send "a remote digital file" to the IP address of a second computer. This "remote digital file" is obviously remote to the first computer. Therefore, the "remote digital file" is not comparable to "pages currently viewed by each user" and "pages in common on their respective browsers" as disclosed in Cuomo. Cuomo's method discloses sharing the same file in common with a number of collaborative users and fails to teach or suggest sending a command to a server that then sends a file that is located remote from the first computer to a second computer's IP address.

Further, Cuomo fails to teach or suggest sending a file "without said second computer communicating with said proxy browser program," as recited in claim 15. Cuomo discloses that each computer on the collaborative network has client software that when it "receives an 'addURL' or 'removeURL' notification, it forwards the information to the MUSSS (col. 5, lines 35-40) and the Applet determines whether or not a command to load a new URL is received from the client software (col. 5, lines 1-3). Clearly, Cuomo's proxy clients 202 are exchanging communications which is in contrast to the client computers of the claimed invention not needing to communicate with the proxy browser in order to receive a digital file.

For at least the reasons stated above, Applicant respectfully submits that Mansbery fails to teach or suggest every feature of claims 8-10, 15 and 17 and the claims are fully patentable over the cited references. Based on the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejection.

THE GABAI REFERENCE

The Examiner alleges that claim 11 is obvious over Mansbery in view of Gabai. Applicant submits, however, that there are elements of the claims which are neither taught nor suggested by the Examiner's urged combination of references.

The Examiner admits that Mansbery does not disclose the invention of claim 11, and that Gabai renders claim 11 obvious. However, the Applicant asserts that Gabai would not have been combined with Mansbery. However, even if combined, Gabai fails to make up for Mansbery's deficiencies, thus the claim is patentable over the cited references.

III. FORMAL MATTERS AND CONCLUSION

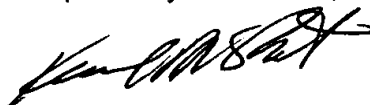
Claim 10 has been amended to overcome the Examiner's objection. Applicant submits that claims 1, 3-5, 7-11, 15, and 17-25, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above Application to issue at the earliest possible time.

Application No. 09/540,558
Reply to Office Action mailed 07/30/2003

Should the Examiner find the Application to be other than in condition for allowance, the Examiner may contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 20-0668.

Respectfully submitted,



Kendal M. Sheets, Reg. No. 47,077
Joseph J. Zito, Reg. No. 32,076
ZITO tlp
26005 Ridge Road, Suite 203
Damascus, MD 20872
(301) 601-5010

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 30, 2003.


Kendal M. Sheets

12-30-03

Date